North Central Regional Transit District
Board Meeting
Friday, August 20, 2010

1. CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date at approximately 9:00 a.m. by Chair Rosemary Romero at the New Mexico Association of Counties, 613 Old Santa Fe Trail, Santa Fe, New Mexico.

a. Pledge of Allegiance

b. Moment of Silence

c. Roll Call

Roll call indicated the presence of a quorum as follows:

Members Present:

Los Alamos County	Mr. Tony Mortillaro
City of Espanola	Councilor Robert J. Seeds
Rio Arriba County	Commissioner Elias Coríz
Ohkay Owingeh	Ms. Kateri Keevama
City of Santa Fe	Councilor Rosemary Romero, Mr. Jon Bulthuis
Santa Fe County	Ms. Penny Ellis-Green
Tesuque Pueblo	Mr. Larry Samuel
Taos County	Mr. Jacob Caldwell [telephonically]

Members Absent

Pojoaque Pueblo
San Ildefonso Pueblo
Santa Clara Pueblo

Staff Members Present

Ms. Josette Lucero, Executive Director
Mr. Jack Valencia, Transit Project Manager
Ms. Cynthia Halfar, Executive Assistant
Mr. Mark Basham, Counsel for NCRTD

Others Present
Mr. Andrew Jandáček, Santa Fe County
Mr. Greg White, NMDOT
Mr. Mitch Davenport, Facilities Manager

d. Introductions

Those present introduced themselves.

e. Approval of Agenda

Commissioner Coríz moved to approve the agenda as presented. Councilor Seeds seconded the motion and it passed by unanimous voice vote.

f. Approval of Board Meeting Minutes, July 30, 2010

Ms. Ellis-Green moved to approve the minutes of the July 30, 2010 Board meeting as presented. Chair Romero seconded the motion and it passed by unanimous voice vote.

g. Public Comments Regarding Transportation Items or Issues

There were no public comments.

2. ACTION ITEMS:

a. Approval of Resolution 2010-07 (Tabled 7/3/2010): Award of Bid for the Construction of the Jim West Transit Center

Ms. Lucero noted the resolution was in the packet that was presented at the last meeting. On July 30th they received a bid protest from the bid opening. There was plenty of discussion on July 30th. The Board asked staff to do the due diligence and bring a recommendation at this meeting. The bid protest was from DB Construction out of Albuquerque, protesting was on the other two companies' subcontractors.

So staff and Mr. Davenport did due diligence; made site visits to the companies and got all the information they could on it. The recommend today was to award the contract to R&M Construction. If approved, they could move forward.

Mr. Mortillaro noted that this resolution would make the award and asked if they had an award amount.

Mr. Basham said they knew what their bid was and what the budget was but the intent was to try to negotiate for a lower amount.

Mr. Mortillaro asked if the resolution could have a not to exceed number.

Ms. Lucero said that would be $1,183,465.

Mr. Mortillaro asked if that included GRT. He thought it was that amount plus GRT. Ms. Lucero agreed.

Mr. Valencia didn't have the amount but thought they could say not to exceed $1.3 million.

Chair Romero agreed.

Councilor Seeds was concerned since this company was not the lowest bidder and the Board needed to cover itself on that issue.

Chair Romero explained that this bidder met all the requirements. The lowest bidder had an unrealistic concrete price and was nonresponsive to all specifications. They promised a letter but it was never delivered.

Commissioner Coríz asked for clarifications. He wanted to make sure all the inspections had been done.

Mr. Davenport said they had all the engineers do a thorough investigation of the building, mechanicals and soils. As part of being sure, they took a core sample of the slab and opened up two walls and found they were sound. There were cross stress bars that they didn't expect so they had to make some change to the fenestration. With the soils inspection they knew what was needed to make sure it met the standards. The plumbing and electrical all had to come out and be redone.

The roof had some problems but they were patchable.

They were now doing asbestos and lead tests to know if remediation was needed.

It was a simple building and he was confident they had covered all the bases.

Mr. Valencia suggested that the amendment of up to $1.3 million be added on the last page after the comma "not to exceed $1.3 million."

Mr. Mortillaro moved to approve Resolution 2010-07 as amended with inclusion of "not to exceed $1.3 million. Councilor Seeds seconded the motion and it passed by unanimous roll call vote with Española, Los Alamos County, Ohkay Owingeh, Rio Arriba County, Santa Fe City, Santa Fe County , Tesuque Pueblo and Taos County voting in the affirmative and none voting against.

b. Approval of Resolution 2010-06 (Tabled 7/9/2010): Pojoaque Fares

Ms. Lucero said this resolution was requested by Santa Fe County through the RPA. They were providing a demand response service for students living in Rio Arriba County. The students currently paid a fare of $1.00.

Mr. Bulthuis arrived at this time.

Ms. Lucero explained that Santa Fe County said it cost $58,000 to provide the service and they just allocated $40,000 from the RPA budget and would ask to charge $3 per student to meet the budget.

Ms. Lucero said they were bringing it back because they were already transporting these students.

Chair Romero said she sent out a history of this effort and the ridership report by email to everybody. She didn't hear back from anyone. The RPA heard it again this week and they were running behind because the route restarted on July 1. She asked Ms. Ellis-Green to comment on that meeting.

Ms. Ellis-Green added that the RPA discussed it briefly and agreed to either charge $3 or cap the budget at $40,000. There were students who had transferred from one district to another and the district made clear that the district was not responsible for their transportation.

Chair Romero said the RPA agreed to pay up to $40,000 and the rate increase would allow that service to continue longer.

Mr. Mortillaro thought they were not trying to mimic a school bus route so anyone could ride this route. Ms. Lucero agreed.

Mr. Mortillaro asked how the difference would be made up if the fare was not approved.

Ms. Lucero said the NCRTD would have to stop service when the $40,000 was entirely spent.

Mr. Mortillaro asked if the Board could look at funds for it at that time.

Ms. Lucero said they could but they were constrained now.

Commissioner Coríz said they were accomplishing transportation for a select few. He wanted this to be open. If he had this available for his son it would be very helpful but he had to take his son to school every day. He hoped this Board supported that opportunity. He had discussed it with some students' parents. He would abide by the board's decision but want the Board to know there were others.

Councilor Seeds agreed with Mr. Mortillaro and Commissioner Coríz. They needed to do what they could to get these kids to the school of their choice. There were some line items that they cushioned a little bit. He favored continuing the fares at $1 and not at $3.

Chair Romero said the RPA used a consultant to look at all the routes for efficiency and what the routes provided. The RPA wanted to live within its means so they took a pencil to each of them. The consultant's matrix was the most affordable but to pay the overage was just not feasible. The difference in this route was looked at by staff. Their budget had already been approved. They could see where they

were with GRT revenues and if there was not enough, this resolution would assure the parents that they could continue to have the transportation provided that was needed. The goal was more services and as efficiently as possible. It was a fall back if the RPA had no other money. Perhaps they could change the line items but this was a protection.

Ms. Ellis-Green said in fiscal year 2010 it was predicted to cost $11,000 but in FY 11 it was predicted to be $51,000. If they didn't have a cap, it could by $71,000 next year. They had a discussion of having a fixed route and found it could not be done that way.

Commissioner Coríz asked if this route was designated for a select few or for everyone. If the RPA had decided who got charged he wanted to be clear about it before they voted on it.

Ms. Lucero said it was open to the general public. The majority of those riding were the students. Española had to schedule the ride for the Pojoaque schools, and make sure the fares were in pace. The destination had to be clear for a demand response route.

Ms. Ellis-Green said the RPA was paying just for the students. The resolution was for the students crossing a district boundary.

Mr. Mortillaro asked if there was any other demand response in place.

Ms. Lucero said it was for a 15 miles radius from Española and the NCRTD charged a $1 fare.

Mr. Mortillaro asked if the $1 was being subsidized. Ms. Lucero agreed it was.

Ms. Keevama thought this was some discrimination. She asked why she as a student was being penalized. That might come back and bite the Board.

Chair Romero explained that the $3 fare was for anyone riding on that route, not just students.

Mr. Mortillaro said it was not quite coordinating for him with the differential. If one dollar would not meet the costs, he suggested raising the rate to $2 for all demand response.

Ms. Lucero said she could come back with that.

Ms. Keevama asked if the RPA did a survey found some number of students that did ride.

Chair Romero referred to the back of the memo where the ridership report was presented.

Ms. Lucero said the route now was over the $40,000.

Chair Romero said she was hearing that more work was needed on this resolution and it should determine overall costs for demand response. She asked for a motion

Commissioner Coríz moved to table this resolution until the October 1 meeting.

Councilor Seeds asked if anyone brought up the idea that it be a regular route.

Ms. Lucero said they had and it would be a lot more expensive.

Ms. Keevama seconded the motion to table and it passed by unanimous voice vote.

3. DISCUSSION ITEMS:

A. Finance/Regional Coordination & Consolidation Subcommittee Report

Mr. Mortillaro said the Subcommittee had not met since the last Board meeting.

Ms. Lucero said the next meeting of the subcommittee would be September 17th. The last meeting was on July 30th and that was the discussion at that meeting.

Chair Romero said at their next meeting they would have the discussion of the local/regional issue. Mr. Bulthuis, Mr. Caldwell and Councilor Seeds were on the work group to consider it before the Committee would consider it.

b. Request from Village of Chama to Begin Discussion of Membership Opportunities with the NCRTD

Ms. Lucero announced that they made a presentation to the Village of Chama. The mayor attended the meeting at Los Alamos three months ago. Staff were asked to review the contracts for new members. The IGC addressed the issue but the Board had not made a decision on local versus regional or new members.

She would get back to the mayor at some time soon. She also heard this week that the Town of Taos was going to pursue membership in NCRTD.

Mr. Mortillaro said there were lots of criteria they had to consider for new members. He asked if they had already adopted that.

Ms. Lucero said they had not. She wondered if they could make those requirements of potential members.

Mr. Basham recommended against that. The Board would need to provide notice and then could adopt them with a two-thirds vote. They issued a memo on June 7 2009 on this issue and it should be reviewed first.

Mr. Mortillaro asked if staff could ask them for that information anyway as part of due diligence.

Mr. Basham explained that some of the criteria asked for a contribution but asking for present service. He thought some of it would be okay.

Commissioner Coríz asked if it would be in order to give some administrative authority to staff to get that information.

Mr. Basham noted that this was a discussion item. He offered to meet with Ms. Lucero and figure out

what was not too burdensome.

Councilor Seeds asked what the practice had been.

Mr. Basham said Taos County had a public hearing and wanted to join and the Board voted to let them join.

Councilor Seeds asked if they could we use that same procedure.

Ms. Lucero read the criteria from the original IGC. She said there were eight more potential members.

Councilor Seeds thought those areas were already getting some RTD service so they needed to come up with criteria.

Chair Romero reminded the Board that this was discussion only. They were still clarifying things. They could review the criteria and the expected GRT. They could tell the mayor they were still working on it. Staff and Mr. Basham could continue to work on it.

Ms. Lucero agreed to draft such a letter.

Mr. Basham asked if they had passed a resolution.

Ms. Lucero said they just discussed it. The Town of Taos wanted to join too and have the RTD take over their system and their budget.

Commissioner Coríz said the Town of Taos had actually asked to join and the Board voted on it. They had the opportunity but now that the federal dollars were going away, they needed help.

Ms. Lucero said they needed to determine what their financial commitment would be.

Mr. Mortillaro thought they should treat Chama the same way.

Councilor Seeds said they also needed to share the criteria with anyone else who wanted to join.

Ms. Lucero felt the list they had was a great set of criteria and they just needed for the Board to take action.

Mr. Mortillaro pointed out that it required a change to the IGC that was a complicated process. He asked if there was a shorter way to do this.

Mr. Basham agreed to look at it to see what could be done. If it could, he would bring a resolution to the next meeting.

Mr. Mortillaro felt there shouldn't be any reason why the Board could not adopt the criteria.

Chair Romero summarized the discussion with a letter from Ms. Lucero and research by Mr. Basham.

4. MATTERS FROM THE BOARD

Councilor Seeds asked where the Subcommittee meeting on the 17th would be.

Mr. Mortillaro said they would meet at the NCRTD offices.

Chair Romero noted that the conflict of interest forms were sent out. Hector Balderas had a meeting on the issue. The take away for the City of Santa Fe was to form an audit committee to make sure they were doing everything they could. The conflict of interest form for NCRTD was drafted by Mr. Basham.

Chair Romero asked Ms. Halfar to send the draft form out for comments by September 10 and then the final form would be sent out when revised.

5. NEXT BOARD MEETING: FRIDAY, October 1, 2010 at 1:00 p.m.

Mr. Mortillaro offered to host the October 1 meeting in Los Alamos.

6. MISCELLANEOUS

There were no miscellaneous matters.

7. ADJOURNMENT

Councilor Seeds moved to adjourn the meeting. Commissioner Coríz seconded the motion and it passed by unanimous voice vote. The meeting was adjourned at 10:15 a.m.

Approved by:

Rosemary Romero, Board Chair

Attest:

Michael Wismer, Secretary

Minutes submitted by